STAND. COM. REP. NO.

2123

Honolulu, Hawaii

FEB 1 1 2016

RE: S.B. No. 3033

S.D. 1

Honorable Ronald D. Kouchi President of the Senate Twenty-Eighth State Legislature Regular Session of 2016 State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health, to which was referred S.B. No. 3033 entitled:

"A BILL FOR AN ACT RELATING TO SELF-STORAGE FACILITIES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Allow owners of self-service storage facilities to send notices by electronic mail, publish notices of sales in any commercially reasonable manner, conduct sales online, and charge late fees; and
- (2) Authorize limits in rental agreements on the liability of the owner of self-service storage facilities based on the monetary value of the stored property.

Your Committee received testimony in support of this measure from the National Self Storage Association.

Your Committee finds that the State's self-storage facilities lien law has remained virtually unchanged since its enactment in 1984. Accordingly, this measure updates and clarifies Hawaii's self-storage facilities law by: permitting notification by electronic mail as an option for occupants; allowing public notice of a sale in a commercially reasonable manner; and permitting the lease contract for a self-service storage facility to contain value limitation and late fee provisions.

Your Committee has amended this measure by:

- (1) Authorizing self-service storage facility owners to have a motor vehicle or boat towed from a leased space, if the occupant is in default for sixty days or more; provided that notice is provided to the occupant prior to the motor vehicle or boat being towed;
- (2) Requiring owners to notify occupants regarding delinquency via two of the following three methods: telephone, electronic mail, or postal address; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3033, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3033, S.D. 1, and be referred to your Committee on Judiciary and Labor.

Respectfully submitted on behalf of the members of the Committee on Commerce, Consumer Protection, and Health,

ROSALYN H. BAKER, Chair

The Senate Twenty-Eighth Legislature State of Hawai'i

Record of Votes Committee on Commerce, Consumer Protection, and Health CPH

Bill / Resolution No.:*	Committee Referral: Date:				
SB 3033	CPH, JDL 2-5-16				
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)					
KIDANI, Michelle N. (VC)					
ESPERO, Will					
IHARA, Jr., Les		V			
NISHIHARA, Clarence K.					
RUDERMAN, Russell E.					
SLOM, Sam					
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TOTAL		4			3
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature: Thehelle A Sudane					
Distribution: Original	Yellow Pink Goldenrod eport Clerk's Office Drafting Agency Committee File Copy				
File with Committee Re	epoπ Cierk	's Office D	rafting Agency	Committe	е не Сору

*Only one measure per Record of Votes